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02/05/24 • BIG PHARMA › NEWS

A New York County Pays $750,000 to Families Whose Unvaccinated Kids Were Barred From School During Measles Outbreak

Rockland County's 2019 emergency order prohibited children without measles vaccinations, including those with religious exemptions, from attending school or visiting public places for months. The county settled with parents who sued county officials for unlawfully ignoring their children's religious exemptions.

By **Michael Nevradakis, Ph.D.**

39

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Families who sued a New York county and two public officials over a 2019 emergency order banning their unvaccinated children from public spaces during a measles outbreak late last week have reached a settlement, just days before going to trial.

Rockland County's 2019 emergency order prohibited children without measles vaccinations, including those with religious exemptions, from attending school or visiting public places for months, following a measles outbreak in the region.

Michael Sussman, the attorney representing the families, told The Defender Rockland County will provide $750,000 to the plaintiffs, "to be distributed by us as we choose to do so."

The case was sent to a jury trial in November 2022 after the 2nd U.S. Circuit Court of Appeals, in a unanimous decision, overturned a lower court's finding that Rockland County public health authorities were justified in issuing the emergency order.

Sixteen families of children affected by the emergency order sued Rockland County, the county's executive and its health commissioner in April 2019, alleging the order was "motivated by animus against religion." The families said the order violated the Free Exercise Clause of the First Amendment.

The jury trial in the case was set to begin today in the U.S. District Court for the Southern District of New York.

According to Sussman, there was no indication Rockland County was ready to settle until late last week. He described the settlement as "a good result" for the plaintiffs.

"I thought the county acted responsibly in taking the case seriously because it involves serious rights," Sussman said.

In an email, Mary Holland, Children's Health Defense (CHD) president & CEO, told The Defender:

> "The 'measles epidemic' that unfolded in 2018-19 in Brooklyn and Rockland County, New York, was the forerunner of the 2020 'COVID pandemic.'
>
> "Intense media fear-mongering laid the groundwork for unlawful expulsion of unvaccinated children from schools — who had lawful religious exemptions — and lockdowns.
>
> "After a long legal journey, Rockland County has de facto apologized — to the tune of $750,000 — to the families that the county treated wrongly. CHD is proud to have offered support to the plaintiffs and their families and lawyers in the case."

CHD provided support to the plaintiffs and their legal counsel in this lawsuit.

Plaintiffs who spoke with The Defender said they are satisfied with the settlement.

"I am thrilled to be able to put five years of litigation and worry behind us," said Maureen Satriano, who was a nurse at the Green Meadow Waldorf School, where her and other plaintiffs' children attended.

"Many of us wonder how this might have played out differently if we had been in front of a jury," Satriano said. "But ultimately, I am grateful to try to put some of this behind us."

In some ways, the money is "irrelevant," Satriano said. "No amount of money will ever undo that damage that was done to this entire community."

Satriano said that as the school nurse, she did her best to support parents on both sides of the issue — "those whose children were affected by their friends and classmates not being allowed in school, and those for whom this was an assault on their religious beliefs."

Paul Jaffe, lead plaintiff in the case, described the settlement as "kind of a relief."

"We established a very strong legal precedent," Jaffe said. "We were quite happy to just have the case finished … and I think we got a settlement that acknowledges, in a significant way, that the county really did transgress the law and that they have responsibility and exposure to liability in some ways."

"I think it will allow most of us to get some measure of closure on the event," he added.

"The Wuhan Cover-Up"
by Robert F. Kennedy Jr.
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'Goalposts were constantly changing'

As reported by The Defender, at the start of the measles outbreak in October 2018, Rockland County Executive Ed Day and County Health Commissioner Patricia Schnabel Ruppert worked with the New York State Department of Health to implement progressively stricter measures to contain the spread.

Day and Ruppert ordered students who had not received measles vaccines and who were attending schools with confirmed measles cases or with vaccination rates below a certain threshold near areas with high concentrations of cases to stay home. Those children were later barred from entering public places.

County officials identified two zip codes in Rockland County "with the highest concentrations of confirmed cases, which cover[ed] approximately eleven square miles and primarily contain[ed] Hasidic Jewish communities."

Ruppert progressively increased the vaccination threshold for schools, from an initial 70% to 95%.

On Dec. 3, 2018, the Green Meadow Waldorf School and the Otto Specht School were ordered to bar all non-vaccinated students from attending for 21 days because the school was in one of the at-risk zip codes identified by public health officials and only one-third of students in those schools were vaccinated.

"They said if you can get up to 70% of the kids vaccinated, everybody could go back to school," Jaffe said. "Then 80%, 90%, 95%, 97%. They kept changing that and then they said, 'As long as there's a case in the zip code.'"

"The center of the outbreak was five miles away from us and they were keeping us closed because of that," Jaffe added. In his view, he said, Day made "all kinds of outlandish statements that demonstrated that he really had very little grasp of either the law or the science."

Day slandered the kids and the parents on TV multiple times, according to Jaffe, calling them "selfish" and "ignorant" and saying that the kids were "dangerous and a threat to the community."

"Our kids were in fact the healthiest and the law protected them in a way that he ignored," Jaffe said.

On March 26, 2019, Day issued the local state of emergency notice, barring unvaccinated children aged 18 and younger from all places of public assembly, including schools, unless they had a medical exemption or documented serological immunity.

This order, which eliminated religious exemptions to vaccination, remained in effect until Sept. 25, 2019.

"One of the most challenging parts of my position was trying to communicate clear, accurate information and reassurance to all of the parents, but especially to those whose children were excluded for four and a half months," Satriano said. "This was virtually impossible, as the goalposts were constantly changing."

"It was crystal clear to even someone without a degree in public health, that the decisions being made were not based on science or even logic, for that matter," she added.

"Obviously they were making up justifications for what they wanted to do," Jaffe said. "That just shows how far away from the law and reason they had gotten. They started outside of the law, and they went further and further away."

RFK Jr. and Brian Hooker's
New Book: "Vax-Unvax"
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Emergency order 'uprooted' plaintiffs' families

Sussman said he viewed the emergency order as "contrary to law" because New York state law at the time specified that individuals with religious exemptions to vaccination could not be barred from attending school unless there was an outbreak at their school.

The emergency order, which barred the students in question from attending school, caused "significant hardship" for their families, he said.

"We had many people who worked, and their lives effectively were based on a certain structure. That structure was clearly uprooted, and they had to either desist from working, change their work schedules or arrange childcare in different ways," Sussman said.

According to Jaffe, "Nobody could stay home and take care of the kids. Some people got vaccinated, other people moved away quickly. It was an untenable situation for so many families." Jaffe said he was obliged to unenroll his son, a starter on his school's basketball team and "start over at a new school" in New Jersey.

"And so, the damages in my view are a small fraction of what would represent the real damage to so many people," he said.

Had the case gone to trial, Sussman said, the plaintiffs "would've testified to the disruption in their children's education and emotional lives."

"These children went to Waldorf Schools and those schools, of course, have a certain very specific curriculum and rhythm, which was entirely interrupted. That had broader effects on their education," he said.

Satriano said she was prepared to tell the jury the facts of the case as seen from her perspective, "with all the supporting documentation needed."

Satriano maintained that records would have revealed to a jury the fact that the public health orders "were not about stopping a measles outbreak at all," but as the health commissioner wrote in one of her letters, "It was about raising the vaccination rate in the county," she said.

"It was also crystal clear to many that discrimination against people's religious beliefs ran rampant in this county," she added.

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'Callousness' of county officials was 'shocking'

Other plaintiffs also argued that public remarks made by Day and Ruppert suggested they were hostile toward religion and religious exemptions.

Day, in lobbying the New York state legislature to repeal what was then New York state's statutory religious exemption for schoolchildren, said:

> "There's no such thing as a religious exemption. The bottom line here now is that in addition to the fear factor we have, we've had babies in ICUs. We've had a baby born with measles. …
>
> "Let's do something that was done willingly years ago until people got in the middle, raised approaches and thoughts that were debunked years ago, and now to the direct detriment to the health of other people in the state … It makes no sense. We need this legislation passed … to wait is a recipe for medical disaster."

Day characterized "anti-vaxxers" as "loud, very vocal, also very ignorant," implying that this included the parents who were invoking religious exemptions for their children in response to the emergency order.

"In other words, he undervalued the religiosity that predicated those exemptions," Sussman said. "He essentially was taunting those who had the exemptions and calling them frauds."

Had the case gone to trial, the "fundamental First Amendment right that states may not act out of hostility to religion" would have been the central issue that was going to be tried, Sussman said.

"It was shocking to watch the callousness that was demonstrated by some of the leaders in our county, the Department of Health and the Department of Education," Satriano said.

Nevertheless, Day's lobbying efforts were successful. The New York state legislature on June 13, 2019, passed a bill repealing all religious exemptions for vaccination — legislation that has since survived legal challenges.

In March 2023, the U.S. Supreme Court, without comment, refused to hear an appeal by parents who, in a separate case, filed a class-action lawsuit against the state of New York in a bid to overturn stricter vaccine medical exemption requirements for children attending the state's schools.

The complaint was filed in July 2020, by parents from seven households, representing eight children ranging in age from 6-17, and CHD on behalf of its active members and all others similarly situated.

The U.S. District Court for the Northern District of New York on Feb. 17, 2021, dismissed the case, as did the 2nd Circuit, on July 29, 2022.

Acknowledging the help of CHD and its chairman on leave, Robert F. Kennedy Jr., in trying that case, Sussman said, "[We] tried to undo that and we could not succeed because the courts ultimately said that there is no right to a religious exemption."

"I don't think any right is absolute in our system, but the balance New York had was an appropriate balance for 50 years [before] the hysteria about measles," Sussman said.

"That balance was overridden by exemption, by repeal, which I believe was inappropriate public policy and I will continue as a constitutional lawyer to believe it violates the First Amendment," he said.

Sussman said the ruling was "contrary to decades of Supreme Court decisions, all which say … that the state cannot establish a state religion and therefore cannot question … people's religious conviction," and that "the state decisions were all wrong, because they accepted the religious intolerance as a basis for the repeal."

Religious freedom and practice a 'foundational' constitutional principle

According to Sussman, "about five or six" of the 16 families represented in the case also left New York because of the ruling and the elimination of the religious exemption to vaccination.

"Each of them has their own story and they would have presented their story," Sussman said. "They would've testified to their hardship during those months."

Sussman and the plaintiffs said that the settlement symbolizes the importance of religious freedom and parental rights.

"I hope that this case is a reminder to elected and unelected officials that discrimination has no place in this world," Satriano said. "Public health is not as black and white as some try to make it seem."

"My sincere wish is that the results of this case have an impact beyond this tiny little county and will prevent something similar from happening to other parents," she added.

"Whatever your overriding political ideology is, there are certain foundational issues that I think Americans should be able to agree on, and one of which is and has to be a tolerance and freedom of religious belief and practice," Sussman said. "If we can't agree on that, I don't think we agree on very much."

Holland said she hopes the case will serve as a model for other COVID-19-related cases. "May this case serve as a model for future wins in COVID litigation," she said.

The Defender on occasion posts content related to Children's Health Defense's nonprofit mission that features Mr. Kennedy's views on the issues CHD and The Defender regularly cover. In keeping with Federal Election Commission rules, this content does not represent an endorsement of Mr. Kennedy, who is on leave from CHD and is running as an independent for president of the U.S.

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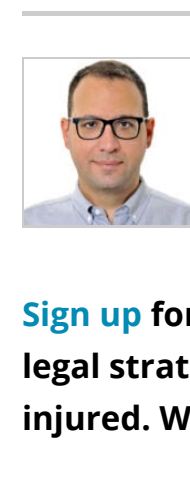

Michael Nevradakis, Ph.D.
Michael Nevradakis, Ph.D., based in Athens, Greece, is a senior reporter for The Defender and part of the rotation of hosts for CHD.TV's "Good Morning CHD."

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holisticpoet
6 days ago
If you are a free man or woman you decide for yourself your own coarse of action in your medical affairs. If you are owned by others you have no choice. Which are you?
22 0 Reply • Share ›

Stuff Happens
6 days ago
They never base these kinds of decisions on anything other than "comply or else." All those stickers on the floor telling you to stand six feet apart had zero to do with health, comrade.
19 0 Reply • Share ›

E_via
6 days ago
This was definitely a "test run" of sorts for the COVID lockdowns and quarantines and social distancing to come, no question about it.
16 0 Reply • Share ›

brbg → E_via
5 days ago
Yes, before the election the globalists will be releasing Disease X, and the fear porn will commence.
1 0 Reply • Share ›

CastleConnell
6 days ago
" the public health orders "were not about stopping a measles outbreak at all," but as the health commissioner wrote in one of her letters, "It was about raising the vaccination rate in the county," she said" Vaccines and mRNA experimental drugs have ushered in Medical Totalitarianism, and it is an ideology based on an unscientific phony social justice platform, that is viciously unjust, and practiced by very ignorant and weak people trying to appear 'wise and holy.' They are light years from such states.
15 0 Reply • Share ›

Patpat
6 days ago
A great example of parents united, standing up for their kids, winning and achieving great things!
15 0 Reply • Share ›

Dave
6 days ago
One thing that's often overlooked in a universe of Faucis, Deborah Birxes, etc. is that state and local governments all have their own versions of these types of people and it seems that in Rockland county, Ed Day and Patricia Schnabel Ruppert were just this type of people.
14 0 Reply • Share ›

naturalimmunityalwayswins
6 days ago
Stupid uneducated woke liberal Democrats paid big time. Love it. Love it so much,
14 0 Reply • Share ›

tamarque → naturalimmunityalwayswins
6 days ago
The lawyer, Sussman, is very progressive, left civil rights lawyer. Check your political bigotry.
1 0 Reply • Share ›

disqustedinph
6 days ago
Myself and all the kids in my family and in my school got: measles, chicken pox, and mumps. I also got German measles when I was a teenager. None of us died, nor did anyone we knew. The vaccines are 100 times more dangerous than these diseases.
12 0 Reply • Share ›

Growupfolks
6 days ago
As a child, I had chicken pox, measles, and mumps. I'm now 88 years old, on no prescription drugs, never been in a hospital (except for child birth), walk every day, and have all my marbles.
11 0 Reply • Share ›

Michael Eichel
6 days ago
I can see why Rockland County got tough on measles, doing so much to contain the spread. It's a very dangerous disease in the Americas! FOUR dead since the year 2000.
14 1 Reply • Share ›

tamarque → Michael Eichel
6 days ago
Nonsense. People are not dying from measles in my older generation. We had measles parties where parents put the kids together while getting and being sick so they could share child care during illness. The most critical comment in this article had to do with raising vaccination rates; ie $$$$$ and control of the pubic. Getting measles provided long term/life immunity and strengthened the immune system in general. Further, vaccination was sold to the public years ago as a convenience for parents to not lose work time but in fact was a gift to industry that prevented loss of income due to people staying home to care sick children. Nothing about health!!

The other point of importance here is that the health of the unvaccinated children was much better than those of the vaccinated. This is a big piece of information which is always buried. Lots of evidence of this in many communities.
8 0 Reply • Share ›

Kim from Brooklyn → Michael Eichel
4 days ago
Sorry, but the healthiest are those that never took a vaccine or took prescription drugs.
3 0 Reply • Share ›

brbg → Michael Eichel
5 days ago
Anyone who dies of the common childhood diseases today is a person who was in very poor health to begin with.
2 0 Reply • Share ›

Susan → Michael Eichel
6 days ago
I hope you're being sarcastic.
2 0 Reply • Share ›

Kim from Brooklyn → Michael Eichel
4 days ago
Going to a doctor entails either a few prescriptions, scans, all bloodwork test that don't test for what is actually killing us and nothing but fear. One has to be very intelligent and aware when we put our lives in their hands.

I figure, I made it out of Brooklyn with just a few bruises, I can handle it! :)
1 0 Reply • Share ›

QuentonQuale → Michael Eichel
5 days ago
No one has proven the existence of a measles virus. Stephan Lanka won a case in the German Supreme court proving just that. Even if you believe measles are real and that the vaccines protect you, they cannot protect your classmate/neighbor...only the recipient. Herd immunity is pure fantasy. A never proven theory. 4 people died in 2000 and you call that a very dangerous disease. How many died from flu in that same year or car accidents? We need to ban all cars and make everyone stay home to avoid all accidents.
1 0 Reply • Share ›

Elizabeth
6 days ago
This is an incredible paragraph:

Sussman said the ruling was "contrary to decades of Supreme Court decisions, all which say … that the state cannot establish a state religion and therefore cannot question … people's religious conviction," and that "the state decisions were all wrong, because they accepted the religious intolerance as a basis for the repeal."

The state cannot establish a religion. Amen.

I'm glad the case was decided in favor of religious exemptions, yet we must do a better job of educating people. The kids who didn't get the vaccine are NOT spreading disease. If we don't want the quarantine camps to fill up, we must do a better job educating.
9 0 Reply • Share ›

Godskid01 → Elizabeth
6 days ago
Except that the masses have made vaccination itself their religion. They don't want to hear it.
5 0 Reply • Share ›

Ronald Martono
6 days ago
Hence they want the supranational WHO treaty signed in Mey, it will be above the national law even in the US and no one will be held responsible anymore, they can command any measure they deem appropriate straight from WHO. Need to exit WHO urgently.
8 0 Reply • Share ›

Laura Pieters
6 days ago
Need more of this. It's apparently the only way to make people do the work needed to understand the fraud going on.
8 0 Reply • Share ›

jann
6 days ago
Nurse Satriano deserves a lot of credit for speaking truth in court. This case was settled to avoid negative exposure as Rockland County knew they would lose. Now that there is another measles "outbreak," this story needs to be publicized widely to let other states know that residents will fight them. The fact that this happened in NY gives me hope.
5 0 Reply • Share ›

brbg
5 days ago
Children in my generation contracted ALL the childhood diseases and came out of them with immunity. Now they want people to fear any disease at all like fragile flowers.
3 0 Reply • Share ›

Galactic Love Team → brbg
a day ago
Yeah Measles was probably one of those so if their science works how can we possibly have measles outbreaks in this day and age if they have been vaccinating children for measles for decades?
0 0 Reply • Share ›

mcwinaz
6 days ago
It's a win, but a hollow one, IMO, esp. since now religious exemptions no longer exist in NY. That to me is a greater loss.
3 0 Reply • Share ›

Galactic Love Team → mcwinaz
a day ago
100000% agree
0 0 Reply • Share ›

Herbert Kitchener

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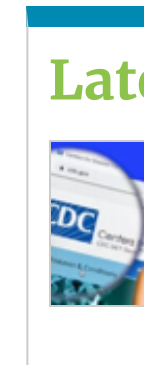
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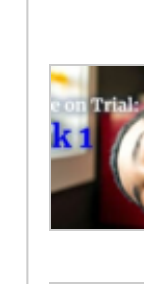
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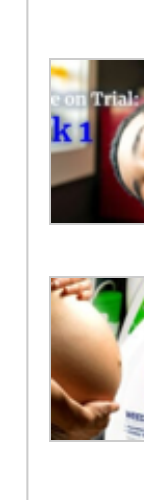
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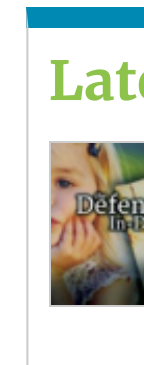
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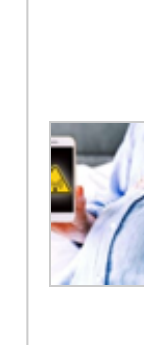
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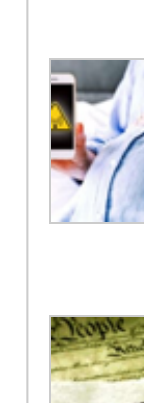
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5 days ago

The problem is that the individual "county officials" are not held personally responsible for their actions and any settlement monies are ultimately paid by all taxpapers of the county. If officials were held personally responsible for their actions they wouldn't be so cavalier in their decisions.

👍 2 👎 0 Reply • Share ›

Gary Brown
5 days ago

Good for those educated parents.

FEBRUARY 5, 2024 Young adults are having heart attacks more often — What's causing it?

Heart disease is the number one cause of death in the United States. In the last few decades, though, with advances in the prevention and management of coronary artery disease, the occurrence of heart attacks in older adults has been declining.

https://studyfinds.org/hear...

👍 2 👎 0 Reply • Share ›

Ave Bkr
5 days ago

Congratulations to all the parents involved and to attorney Michael Sussman for this excellent outcome. They wouldn't be settling if they didn't feel they did something wrong, with a strong chance of losing at trial.

👍 2 👎 0 Reply • Share ›

Gary Brown
4 days ago

Feb 6, 2024

👍 1 👎 0 Reply • Share ›

r2bzjudge
5 days ago edited

Day: "There's no such thing as a religious exemption for measles.
The bottom line here now is that in addition to the fear factor we
have, we've had babies in ICUs. We've had a baby born with measles."

Dr. William Thomas was involved in an autism study on the MMR vaccine at the CDC. The study found a signal of an increased risk. The CDC suppressed the study. Day should take note that there is no vaccination exemption for autism. In a case at vaccine court, it was explicitly admitted by the court that a vaccination caused the child's autism.

Day characterized "anti-vaxxers" as "loud, very vocal, also very ignorant,"

Vaxxers are ones who are loud, very vocal and very ignorant, doing no research, but blindly accepting the parroting of public health agents with an ulterior agenda.

👍 1 👎 0 Reply • Share ›

Stephen Simac
5 days ago

No case succeeded in challenging California's SB277 that abolished both religious and philosophical exemptions in 2015. Both federal and state "justices" washed their hands from challenges, said it was the other's purview, not theirs.

👍 1 👎 0 Reply • Share ›

> **Galactic Love Team** ➦ Stephen Simac
> a day ago
>
> Yes NY always follows Cali rulings like this so I knew we were doomed. It took 4 years of praying daily it wouldn't happen but nothing could stop the fake measles mudslide.
>
> 👍 0 👎 0 Reply • Share ›

emmanuelozon
5 days ago

"It was crystal clear to even someone without a degree in public health,
that the decisions being made were not based on science or even logic,
for that matter," she added.

First off, there's a degree in "public health"? Secondly, my health is not public.

👍 1 👎 0 Reply • Share ›

Ricky Ricardo
6 days ago

Four years later…I was cycling yesterday and stopped by one of the outdoor washrooms. There was a sign on the door and one of the lines caught my eye: "Do not enter if you are sick."! Someone please remind me of what planet I'm living on. Are there any writers out there? Here's a title to start you off: "The 'pandemic' that never was".

👍 1 👎 0 Reply • Share ›

Galactic Love Team
a day ago

Well my children and our family through the exact same thing and we have got NOTHING. Orange County now needs to sue, every family in every county in NYS needs to sue. I've been saying this since day 1 -June 13, 2019. Round up the parents and kids who are still suffering! I am still trying to find the best possible education for my children. 5 different schools in three years, one a teen with horrid anxiety. I have so much anger and bitterness from this and to hear six families got a pittance. This is great news and I wish we got a scrap of something like this but it is "measley" retribution compared to the damage done to children and families emotional, mental, spiritual, physical and social bodies ALL OVER NYS. However it is something and a bit of tide turning.
I have always told my husband -we need to sue the state for violating our constitutional rights and sue for emotional, mental social damages. Maybe it's about time.
If you're reading this call me Michael Sussman.
The whole measles outbreak was a SHAM. They have been vaccinating against measles for decades. If they believe in their science so deeply said measles should be eradicated by now. I guess they don't believe in their own science- hmmm what's that say about the ones pushing this and ones behind it? Like Stanley Plotkin. The public who follow the Gov are so clueless. They should all watch Aaron Siri's interview of Plotkin saying he doesn't believe in God and talking about the aborted fetuses like they were just mechanical parts of a car. 🤮

see more

👍 0 👎 0 Reply • Share ›

Stephen Simac
5 days ago

What a wishy washy ruling that was, and yet it held for the plaintiffs. Barely.

In We The Patriots, this Court held that
statements made by Governor Kathy Hochul at a press conference, including that
her "'personal opinion' [was] that no religious exemption is required" and "that
she was 'not aware of' any 'sanctioned religious exemption from any organized
religion,'" did not evince religious animosity in connection with a vaccine
requirement for healthcare workers that did not provide a religious exemption. Unlike here,
however, Governor Hochul did not actually issue the
vaccination rule, (the rule "was issued by the State's Public Health
5 At oral argument, Defendants' counsel reiterated Day's sentiments, referring to
Plaintiffs' "so-called religious beliefs."

and Health Planning Council, a group of 25 healthcare professionals, including the
Commissioner of Health"), and her statements merely appeared to express "the
State's litigation position" and "the fact . . . that many religious leaders have stated
that vaccination is consistent with their faiths". Ultimately, given that
it was Day himself who issued the Declaration and indicated that the religious

see more

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> **Galactic Love Team** ➦ Stephen Simac
> a day ago
>
> Cuomo was our Governor when this happened.
>
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Children's Health Defense® is a 501(c)(3) non-profit organization. Our mission is to end childhood health epidemics by working aggressively to eliminate harmful exposures, hold those responsible accountable and establish safeguards to prevent future harm. We fight corruption, mass surveillance and censorship that put profits before people as well as advocate for worldwide rights to health freedom and bodily autonomy.

THE DEFENDER IS AVAILABLE IN:

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